

Rule 7027-1. Depositions and Examinations.

(A) Motions to Compel. Except for motions grounded upon complete failure to respond to the discovery sought to be compelled or upon assertion of general or blanket objections to discovery, motions to compel discovery in accordance with Bankruptcy Rules 7033, 7034, 7036, and 7037 shall quote verbatim each interrogatory, request for admission or request for production and the response to which objection is taken followed by (1) the specific objections, (2) the grounds assigned for the objection (if not apparent from the objection), and (3) the reasons assigned as supporting the motion, all of which shall be written in immediate succession to one another. Such objections and grounds shall be addressed to the specific interrogatory or request and may not be made generally.

(B) Motions for Protective Order. A party may file, prior to the date of a proposed deposition, a motion for protective order stating the reasons for prohibiting, limiting or rescheduling the deposition, and the deposition shall be stayed until the court rules on the motion.

(C) Certificate of Counsel as to Motion to Compel or Motion for Protective Order. Prior to filing a motion to compel discovery or a motion for protective order pursuant to Bankruptcy Rule 7026, counsel for the moving party shall confer with counsel for the opposing party and shall file with the clerk at the time of filing the motion a statement certifying that the movant's counsel has conferred with counsel for the opposing party in a good faith effort to resolve by agreement the issues raised and that counsel have been unable to do so. If certain of the issues have been resolved by agreement, the statement shall specify the issues so resolved and the issues remaining unresolved.

[Comment: See also Local Rule 9073-1(D) (conference with opposing counsel required generally).]

(D) Reasonable Notice of Taking Depositions. Unless otherwise stipulated by all interested parties or directed by the court or by these rules, a party may take the deposition within this state of any person upon oral examination upon actual delivery of at least 7 days' notice in writing to every other party to the action and to the deponent (if the deposition is not of a party), and a party desiring to take the deposition in another state of any person upon oral examination shall give a least 10 working days' notice in writing to every other party to the action and to the deponent.

(E) Local Subpoena Forms. Subpoenas served in adversary proceedings or main cases shall conform to, as applicable, the Local Form "Subpoena in Adversary Proceeding" or the Local Form "Subpoena in Bankruptcy Proceeding".

<p>✎ 2002 Amendment: Amended to incorporate reference to new Local Forms "Subpoena in Adversary Proceeding" and "Subpoena in Bankruptcy Proceeding".</p>
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[Comment: See also Bankruptcy Rule 9014 and Local Rule 9014-1 (contested matters are subject to discovery rules).]